IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2199 OF 2004

WITH

CRIMINAL WRIT PETITION NO. 2200 OF 2004

Mr. Pukhraj Pokharna & ors. ... Applicants

versus

First Mobile India Pvt.
Ltd. and others ... Respondents

...

Mr. K.K. Tated with Smt. Sunanda Kumbhat, for the Applicants in both Cri.W.Ps.

Mr. V.K. Babbar for Respondent No. 1 in both Cri.W.Ps.

Mr. A.S. Gadkari, A.P.P., for State in both Cri.W.Ps.

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CORAM : A.M.KHANWILKAR,J.

14th December 2004

P.C.:

. The question raised in these petitions is that the Petitioners were not Directors at the time when the offence under section 138 of the

Negotiable Instruments Act is stated to have been committed. Counsel for Respondent No. 1 states on instructions that in view of the stand taken by the Petitioners, which is supported by the documents on record, Respondent No. 1 complainant has decided to drop the proceedings against the Petitioners. This statement is accepted. In view of this statement, no further orders are required as the complainant assures through the Counsel to move a formal application before the Court below for dropping the names of the Petitioners before this Court from the criminal cases pending before the lower Court. Insofar as other accused are concerned, the cases to proceed in accordance with law as expeditiously as possible. Petitions disposed of on the above terms.

(A.M.KHANWILKAR,J.)